

Groundwater Management Plan Committee

August 7, 2019

12pm – 2pm at Division of Natural Resources

646 N Main St. Cedar City, Utah 84720

Committee Members:

Paul Bittmenn	Brent Hunter	Paul Monroe	Reed Erickson
Paul Cozzens	Spencer Jones	Rob Dotson	

Division of Water Rights Staff:

Kent Jones	James Greer	Nathan Moses	Locke Hahn
Boyd Clayton	Teresa Wilhelmsen		

Others in attendance:

Jessica Staheli

Vice-Chairman Paul Bittmenn called the meeting to order at 12:20 PM.

1. Review Draft Groundwater Management Plan:

K. Jones welcomed the committee to the meeting. He presented the newest draft that the Division created in response to the committee's suggestions. He began discussion about the curtailment schedule. He said that the Division agreed on a 15-year time frame for the first cut, but 10 years for the other cuts. This would allow us to see results of the plan. The statute also allows for voluntary arrangements to help meet the water demands. They are planning to hold an annual review meeting each year to talk about the state of the groundwater in the basin.

He began discussion about the introduction. The introduction begins by speaking about the state of the groundwater in the basin. It then talks about priority regulation. They are suggesting to have a curtailment assessment every 10 years. For the first table it seems reasonable to be 15 on the first table, but he suggested to stick with 10 years on the others. Hopefully by the start of it, things can be adjusted for less cuts. But the plan should make it so that by 2075, the aquifer will hopefully be in balance. He noted that the balance could happen earlier than that with all the different projects that people are creating, and hopefully there won't be as many cuts as anticipated.

He then went over depletion calculations. The last sentence was modified to say that the supplemental water wells need to be metered. They removed the paragraph that went over priority regulation so that it was more simplified.

He went over voluntary arrangements. They discussed adaptive management. They simplified the paragraph, but made it include the west desert importation project in progress by CICWCD. Recharge was also mentioned in the voluntary arrangement section. Greer mentioned that they simplified it so that it can be more flexible. They could make a voluntary arrangement document so that it can be more adjustable. The GMP Plan has to be approved through a public process and is more rigid.

Monroe wondered what is the process of approving a voluntary arrangement through the State Engineer? Does it have any backing? Would it be recognized by the State Engineer on the website. It needs to be more than just a list of ideas. K. Jones said that the voluntary arrangement could be adopted by the State Engineer. It could change each year, so it can be more of a dynamic agreement. It could also be posted on the website, to show that it is supported by the State Engineer. He said it is much more modifiable under a voluntary arrangement rather than in the GMP plan. (12:36pm)

Cozzens wondered how the recharge will affect the GMP Plan/voluntary arrangement? K. Jones said that they would discuss those numbers at the annual meeting, that way they could revise the curtailment schedules if needed. The committee discussed that these may be included in separate "sub-documents" K. Jones said that the documents could be mentioned in the plan. K. Jones said that the plan won't necessarily be reactive on one year, but it will be averages throughout many years to see if the aquifer is in balance. Dotson mentioned that he would like the details to be shown. He is worried that without the things listed, the public won't know what is going on. K. Jones suggested that they will have supporting documents along with the GMP Plan listed. K. Jones said hard to change the plan, but you could change a supporting document, since these voluntary arrangements will probably change over the years.

There was discussion regarding recharge and recovery, and how that may affect the plan.

S. Jones started discussion on the change of boundary between the north and south subareas. He was concerned about people being able to move water from the south to the north. He mentioned that the public may not agree with that as well. He was also concerned with the second curtailment being at 10 years, he mentioned the economic obstacle for funding.

There was discussion about changing of the first 2 cuts to be 15 years, but then keep it at 10 for the others.

K. Jones continued the discussion about the north and south boundaries. He was unsure why it would be an issue to move water from the south to the north. The south is a heavier used area, it makes sense to be able to move it to the north and help the drawdown in the south. He spoke about this subject for several minutes. S. Jones mentioned that people have been

concerned about the economic ramifications. He thought it may just move the problem to the north rather than help balance. He mentioned the sewer treatment plant facility.

There was continued discussion in regard to the ramifications of this statement in the plan. Water quality was discussed. Voluntary arrangements were discussed.

Moses suggested that possibly this should be changed to have water rights only move across the boundary, either way, to replace a right that was cut by priority. K. Jones voiced his approval of that idea. Moses said that he thought maybe the problems are more perceived than real. He doesn't think that many people will actually move the rights from the south to the north.

There was discussion about the movement of the line to the Iron Springs Road. The committee voiced their approval of the change on Iron Springs Road. Greer mentioned that the line was extended on the east side as well. There was continued discussion on the acceptance of the GMP Plan regarding the south to north subareas. K. Jones mentioned that perceptions sometimes can be perceived as truth, so he said it is good to address the issues to try to avoid problems. However, he still doesn't understand why that would be an issue.

Greer said that recharge does need to be considered when you say that water could not be recovered on the north side if it was recharged on the south side. He doesn't want it to restrict more than it needs to. Bittmenn said that the issue with recharge could be very restrictive to Cedar City. There was discussion about removing the boundary line. There was continued discussion about the boundary line's effect on recharge.

Monroe asked how difficult it would be to change boundary lines later on after we see the effects of the plan. Erickson wondered if the boundary line would complicate importing water from the west desert. Monroe said that the current plan is that the water will be imported down on the Iron Springs Road. So, it might not be an issue.

Cozzens mentioned that they will be creating another large recharge basin for next year.

K. Jones said there needs to be evidence that the recharge was not recharge before, but there will be credits for the water that was not before recharged. He mentioned that maybe there could be a part included in the plan that states that recharge/recovery applications would not be affected by the boundary line. Bittmenn mentioned that it doesn't make sense to be bound by a line that doesn't really affect the aquifer. From the municipality standpoint of Cedar City, the line doesn't really matter, so it might as well go away. He said he has a different view of the economic standpoint. As a municipality, they are only allowed to buy rights, not sell. Moses mentioned that Cedar City and Enoch represent about 25% of the water rights.

There was continued discussion regarding the boundary change. There was brief discussion in regard to adjudication processes. The committee discussed some of the different options

regarding the boundaries. S. Jones discussed removing the boundary line. There was some discussion regarding agricultural affects on water rights. Monroe mentioned that Ramon Prestwich was very concerned about removing the boundary.

K. Jones said that he would like to see the line to stay and modify it to go up the Iron Springs Road and extend it on the East. They would have recharge/recovery be exempt from the boundary line, and would have water rights that are cut by priority be exempt from the line as well if there is a senior right they can use instead. He thought that was a good starting place in order to compromise.

Greer started going over number 3, He said he consolidated the committee's paragraph and moved it upward. This paragraph was regarding the applications to appropriate surface water prior to entering Rush Lake and Quichapa. Moses voiced is concerns about this statement. It may be hard to evaluate and will be hard to manage. K. Jones said it is hard to measure. There was continued discussion based on this statement. Monroe mentioned that it could be seen as somewhat contradictory.

K. Jones began discussion about setting a public meeting. He asked for participation from the committee. This date will not be the last meeting, but just a meeting to present the draft plan to the public. They would like to discuss voluntary arrangements at the meeting as well. There was discussion on recharge and agricultural conservation projects. The date chosen for the public meeting was October 15th at 6:30pm. S. Jones brought up measuring vs. metering, and there was discussion on funding options for the public. Location possibilities for the public meeting were discussed.

2. Public Comment (Limit to 3 minutes each)

None.

Paul Bittmenn closed the meeting. (Meeting adjourned at 1:58 PM)

Next Meeting Date:

Thursday, September 12th @ 12pm
Division of Natural Resources
646 N Main St. Cedar City, UT 84721

Public Meeting Date:

Tuesday, October 15th @ 6:30pm
Location: TBA, Cedar City